

REMARKS

The claim in the application is Claim 36. There are no rejections under 35 USC 112. The Examiner has considered the IDS submitted with the RCE earlier this year.

The Examiner has rejected the Claim 25 under 35 USC 103(a), citing WO2002/083657, in view of Patani and further in view of Chu-Moyer and Van der Geest. The rejection contends that the process claimed is an obvious route to make the compounds within the claim, as the starting materials in the instant application are bioisosteres or analogues of the methods disclosed in the prior art.

This rejection is superficially correct; however, the prior art is not that straightforward. Without the teaching of Applicants' invention, there would be no motivation to try to provide a process to make the compounds. The Examiner has made very particular and selective choices to combine fragments of the prior art. Rather than presenting a strong *prima facie* case, the very complexity of the rejection argues that the combination of the reference teachings is not that straightforward. The goal of the compound is supplied by Applicants' teaching, and the motivation of those skilled in the art is lacking without that supplied in fact by the instantly claimed invention. Reconsideration and withdrawal of the rejection and allowance of Claim 36 is respectfully requested.

No fees are believed due with this paper, but the Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account 10-0750/ TIP0051USPCT /HJP/AGK.

This application is believed to be in condition for allowance. Reconsideration of the above remarks and Notice of Allowance is respectfully requested.

Respectfully submitted,
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Dated: August 31, 2010